

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

INFOR GLOBAL SOLUTIONS
(MICHIGAN), INC.,

Plaintiff,

v.

ST. PAUL FIRE & MARINE
INSURANCE COMPANY,

Defendant.

Case No.: C 08-02621 JW (PVT)

**INTERIM ORDER RE PLAINTIFF
INFOR'S MOTION FOR
PROTECTIVE ORDER PROHIBITING
FURTHER DEPOSITION AND USE OF
PRIVILEGED MATERIALS**

[Docket No. 150]

Pursuant to a motion for protective order prohibiting further deposition and use of privileged materials, plaintiff Infor Global Solutions (Michigan), Inc. lodged certain documents that it had deemed as privileged for *in camera* inspection. Based on a preliminary review of the documents, the court makes the following findings:

1. Plaintiff Infor shall lodge all attachments to the emails with duplicates of the emails (previously lodged) as they are kept in the usual course of business;
2. Plaintiff Infor shall identify the position and job functions of the following individuals: Mark Henry, Gail Fuller, Robin V. O'Shea, Elizabeth Lyon, Douglas Wolfson, Joyette Dean, Nate McKitterick and Linda Phipps;
3. Plaintiff Infor shall produce to defendant St. Paul Fire & Marine Insurance Company all email exchanges between plaintiff Infor, its counsel, and non-party O'Melveny &

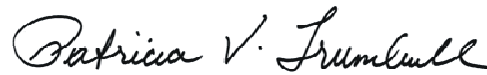
1 Myers no later than July 8, 2009.¹ Until further ruling from the court, email strings
2 that contain exchanges between Infor attorneys and/or plaintiff Infor's counsel,
3 Gauntlett & Associates, may be redacted from email strings that also contain email
4 exchanges between plaintiff Infor, its counsel, and non-party O'Melveny & Myers;

5 4. Plaintiff shall revise its privilege log to conform with Rule 26(b)(5).

6 Plaintiffs shall lodge the additional documents and information set forth above no later than July 8,
7 2009.

8 IT IS SO ORDERED.

9 Dated: July 1, 2009



10 PATRICIA V. TRUMBULL
11 United States Magistrate Judge
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27 ¹ At the hearing held on April 28, 2009, plaintiff Infor waived any privilege relating to any
28 communications between plaintiff Infor, its counsel, and O'Melveny & Myers. *See, e.g.*, Infor's Reply
In Support of Motion for Protective Order Prohibiting Deposition and Use of Privileged Materials at p.
8, ln. 23-24 ("Infor has not raised any privilege with O'Melveny & Myers as a sword or a shield in this
case. It has provided documents and freely permitted questioning of O'Melveny attorneys.").